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TO: EXAMINER ARDEN MARSCHEL
FIRM: USPTO, ART UNIT 1631
FAX NO.: (703) 746-4991
FROM: JERRY HEFNER
DATE: OCTOBER 16, 2003

OJR REF.: ELITRA.001A
APPL. NO.: 09/492,709
OPERATOR: DONNA BARON
PAGES: 6 (INCL. COVER SHEET)

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MESSAGE:

Per our conversation today, attached please find the Supplemental Information Disclosure Statement that was hand delivered to the USPTO. The Transmittal Letter and Postcard are OIPE date stamped August 18, 2003.

Thank you for taking the time to review the IDS issues in this application.

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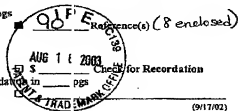
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UTILITY/DESIGN PATENT
(document-recording / IDS)Date: August 18, 2003

Rec'd in the USPTO on the date stamped hereon via Certificate of Mail:

Docket #: ELITKA 001A Applicant: iustind et al.
 Title: Gene Identification as Required for Proliferation in...
 App No.: 01/492,101 Filed: 1/27/00
 Exr: Ardy Marsche Art Unit: 631
 Class/Sub-Class: _____ Re-Exam No.: _____
 VERIFIED BY: Asst: DYAB Atty: DOH/JLI QC: DOH

- ☒ Transmittal Letter
☒ Information Disclosure Statement in 1 pgs
☒ Form PTO-1449 in 1 pgs
☒ \$180 Check for IDS
☐ Recordation Form Cover Sheet
☐ Assignment in _____ pgs
☐ _____ for Recordation in _____ pgs
☐ _____
☒ Return Prepaid Postcard



(9/17/02)



PATENT

Case Docket No. ELITRA.001A

Date: August 15, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Zyskind, et al.
 Appl. No. : 09/492,709
 Filed : January 27, 2000
 For : GENES IDENTIFIED AS
 REQUIRED FOR
 PROLIFERATION IN
 ESCHERICHIA COLI
 Examiner : A. Marschel
 Group Art Unit : 1631

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 attachments are being deposited with Federal Express for
 Priority Overnight delivery to Annette Marschel, Annette
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 Receptionsist, United States Patent and Trademark
 Office, 1911 S. Clark Place, Crystal Mall, Arlington, VA
 22202, on

August 15, 2003

(Date)

Daniel Hart, Reg. No. 40,637

TRANSMITTAL LETTER

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OCT 17 2003

United States Patent and Trademark Office
 P.O. Box 2327
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Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A Supplemental Information Disclosure Statement.
- (X) A PTO Form 1449 with ten (10) references, eight (8) of which are enclosed.
- (X) A check is enclosed in the amount of \$180 to cover the fees set forth in 37 C.F.R. §1.17(p).
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

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ELTRA.001A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Zyskind, et al.)	Group Art Unit 1631
)	
App. No.	:	09/492,709)	
)	
Filed	:	January 27, 2000)	
)	
For	:	GENES IDENTIFIED AS REQUIRED)	
		FOR PROLIFERATION IN)	
		ESCHERICHIA COLI)	
)	
Examiner	:	A. Marschel)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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Arlington, VA 22202

Dear Sir:

Enclosed is form PTO-1449 listing ten (10) references. References 1-8 are enclosed. References 9 and 10 are U.S. patent applications which are not publicly available but which Applicants believe are accessible to the PTO. Applicants will file a Petition shortly requesting that the requirement for providing a paper copy of U.S. patent applications listed in an Information Disclosure Statement be waived with respect to References 9 and 10 in view of the fact that these applications are not accessible to Applicants but are accessible to the USPTO.

This Information Disclosure Statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.113 or after the mailing date of a Notice of Allowance under § 1.311. This Statement is accompanied by the fee set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Account No. 11-1410. A certification under 37 C.F.R. § 1.97(c) is set forth below.

Appl. No. : 09/492,709
Filed : January 27, 2000

CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(2)

I hereby certify that no item of information contained in this Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than 30 days prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 15, 2003

By: *Daniel Hart*

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. ELTRA.001A	APPLICATION NO. 09/492,709
	APPLICANT Zyskind, et al.	
	FILING DATE January 27, 2000	GROUP 1931

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	6,171,838 B1	01/09/01	Black			
	2	2002/0115217 A1	08/22/02	Fun, et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	3	WO 99/16239	04/15/99	PCT				
	4	WO 01/07061 A1	02/01/01	PCT				
	5	WO 03/034027 A2	04/24/03	PCT				

OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

EXAMINER INITIAL		
	6	U.S. Patent Application No. 08/896,342, filed July 18, 1997.
	7	U.S. Provisional Patent Application No. 60/060,787, filed October 2, 1997.
	8	U.S. Patent Application No. 09/361,316, filed July 27, 1999.
	9	U.S. Patent Application No. 09/697,258.
	10	U.S. Patent Application No. 03/044,081.

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EXAMINER	DATE CONSIDERED
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